

EX PARTE OR LATE FILED

LAW OFFICES

SMITHWICK & BELENDIUK, P.C.

5028 WISCONSIN AVENUE, N.W.

SUITE 301

WASHINGTON, D.C. 20016

TELEPHONE (202) 363-4050

FACSIMILE (202) 363-4266

GARY S. SMITHWICK
ARTHUR V. BELENDIUK

WWW.FCCWORLO.COM

COUNSEL

WILLIAM M. BARNARD
JAMES K. EDMUNDSON
ELLEN MANDELL EDMUNDSON

DIRECT DIAL NUMBER: (202) 363-4559
E-MAIL ADDRESS: abelendiuk@fccworld.com

ORIGINAL

February 12, 2003

RECEIVED

FEB 12 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Attention: David Brown, Esquire

Re: Docket No. MB 02-235
Ex Parte Presentation. DA 02-2082

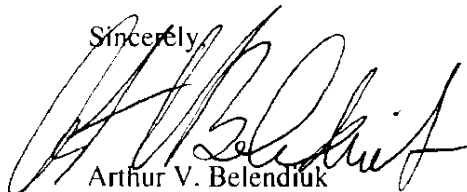
Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's *ex parte* rules, this letter is to notify you that on February 11, 2003, the National Hispanic Policy Institute, Inc. ("NHPI") and Hispanic Americans for Fairness in Media ("HAFM") meet with Susan M. Eid, Legal Advisor to Chairman Michael Powell.

In this meeting the parties discussed the information and arguments in NHPI's Petition to Deny and Reply and made themselves available to questions from Ms. Eid. Both NHPI and HAFM expressed their concerns about media concentration, especially in the Hispanic community. NHPI and HAFM provide Ms. Eid with letters from various Hispanic groups and organizations opposed to the proposed Univision/HBC merger. Copies of these letters are transmitted herewith and incorporated into the record of this proceeding.

Should any questions arise with regard to this matter, please communicate directly with this office.

Sincerely,



Arthur V. Belendiuk

Enclosure

cc: Qualex International. FCC, Room CY-B402

No. of Copies rec'd 2 + 2
LBI ABCDE

HISPANIC AMERICANS FOR FAIRNESS IN MEDIA

5400 E Olympic Blvd., Suite 260 Los Angeles, CA 90022-5142 (323) 726-1558 Fax (323) 726-1865
<http://www.latinocareers.com.org>

December 6, 2002

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Powell:

I am writing to express my concerns regarding the proposed Transfer of Control of numerous radio station licenses 60m Hispanic Broadcasting Corporation to Univision Communications, Inc.

Today, Hispanics in the United States account for nearly 14% of the population and we are the nation's largest minority group. However, Hispanic ownership and management of U.S. media has virtually disappeared in the last few years of consolidation **mania** which has swept the broadcast media. **As a** result, no one really speaks for the Latinos living in the United States. No one discusses the issues of concern to our people.

We are especially concerned about vesting in one individual or in **a** single board of directors the total control of most of this country's Spanish television stations and radio stations. Univision is not a "start **up**" company. It already has 80% of the Spanish language TV audience and now wants to add the same control over Spanish language radio stations. That is too much power for any one individual or group of individuals to wield. It would be too easy for them to silence voices of those who do not share their points of view on the many serious issues facing this nation in the post 9/11 era.

Millions of Americans rely exclusively upon Spanish language radio and television to deliver them accurate news and information and to help them become acculturated and participating citizens of this society.

As your Archives will show, the FCC took away the licenses of the RKO General Corporation in the late 1980s when it abused its power and decreed that advertisers must purchase commercials on all their radio and television stations. **RKO had** too much power and **it** totally corrupted that organization.


I find it hard to believe that a **similar** merger of general market broadcasting television and radio networks would **be** allowed. No one broadcaster has ever been allowed to have 80% of the U.S. market **as** its own monopoly.

This proposed merger would again make it possible for a small group of individuals to require that advertisers **purchase** time on both their media networks because they would have absolute power.

We do **not** feel that the proposed merger would serve the best public interest of the Hispanic American communities in the United States. Instead, it perpetuates the old "Televisa" system which was previously used in Mexico, but **has** now even been repudiated by that **country**.

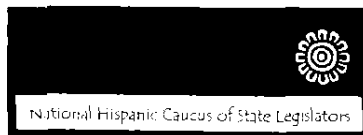
We would respectfully urge the denial of this proposed merger.

Sincerely,

A handwritten signature in cursive script that reads "Esther Renteria".

Esther Renteria
President

Cc: The Honorable Efrain Gonzales,
New **York** State Senator



January 7, 2003

Executive Committee

President

John S. Martinez, CT
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Interim Vice President

Senator Richard Rotundo, CA
Senate Majority Leader

Vice President

Sen. Efraim Gonzalez, Jr., NY
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Sen. Richard Romero, NM
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Garage Express, Inc.

Jose Sosa
Lottman & Johnson

Michael Draine
Nick & Glaser, Inc.

Mario A. Rebello
Michigan Comstar

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PepsiCo Corporation

Carl Johnson
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Michael Davis
Pharmacia Corporation

Larry Lucas
PepsiCo

Jonny McDaniel
Group M, Inc. Management Corp.

Patrick Hayes
Procter & Gamble Company

Bert Gomer
RTE Records

Karla Gonzalez
Schering-Plough Pharmaceutical

Glenn Weaver
TSC Stores

Charles F. Bennett
The McGraw-Hill

Sen. M. Collins
U.S. House of Representatives

Louis R. Escareño
U.S. House of Representatives

Elizabeth Burgos
Verizon

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Dear Chairman Powell:

I write to express our opposition over the proposed transfer of radio broadcasting licenses from Hispanic Broadcasting Corporation to Univision Communications, Inc.

The NHCSL was established in 1989 to voice and advance issues concerning the Latino community in America. Therefore, any common action or position taken by the NHCSL is motivated by the realistic potential to improve the prospects for all Americans. We are not convinced that the proposed transfer of radio broadcasting licenses from Hispanic Broadcasting Corporation to Univision Communications, Inc. will create new specific benefits for Americans, in particular, the Hispanic community.

The Hispanic population now exceeds 35 million, making Hispanics the largest minority group and one of the fastest growing populations in the United States. Even though they have one of the highest civilian labor workforce participation rates at 88%, Hispanics are grossly under-represented within the information technology and Federal Communications Commission regulated media industry. This concern, coupled with a rapidly consolidating media industry, has led us to inquire into Univision Communications, Inc.'s potential to address how the public interest will benefit by this merger.

We cannot affirmatively support the creation of a monopoly company in the broadcasting & media industry.

There will no longer be anything approaching a level playing field because a single merged entity will control so much media in the Hispanic market. It is sometimes easy to forget that millions of Americans in the United States rely upon Spanish-language broadcast media for their news and other public affairs programming. By creating a market where two major service providers turn into one, the merger effectively creates a monopoly in rural areas and substantially lessens competition in urban areas. This proposed merger would again make it possible for a small group of individuals to require that advertisers purchase time on both their media networks because they would have absolute power.

444 North Capitol Street, NW, Suite 404
Washington, DC 20001
Phone: 202-454-8070
Fax: 202-454-8072

Page 2
Hon. Michael Powell
FCC
Jan. 8, 2003

The applicants have not presented sufficient evidence that this consolidation would serve any public interest or provide benefits to the Hispanic community. It is for these reasons that the NHCSL cannot support this proposal and urges the denial of this merger.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Feleciano, Jr.", with a stylized flourish at the end.

Senator Paul Feleciano, Jr., KS
President

cc: [illegible]
[illegible]
[illegible]



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

PETER M. RIVERA
Assemblyman 76th District
Bronx County

DISTRICT OFFICE
1262 Castle Hill Ave
Bronx NY 10462
(718) 931-2620

ALBANY OFFICE
Room 842
Legislative Office Building
Albany New York 12248
(518) 455-5102

CHAIR
Committee on Cities

CHAIR
NYS Assembly Puerto Rican/Hispanic
Task Force

COMMITTEES
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Sub-Committee on Estates and Trusts

SUB-COMMITTEES
Constitutional Amendments
Court Operations
Task Force on Economic Development
Telecommunications Focus Group
High Speed Rail Task Force
Task Force on **Workers'** Compensation

January 31, 2003

Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street SW
Washington, D.C. 20554

Dear Chairman Powell:

I am writing to express my opposition over the proposed transfer of radio broadcasting licenses from Hispanic Broadcasting Corporation to Univision Communications, Inc. The transfer of the licenses will not create new benefits for the Hispanic communities in the United States.

The Hispanic population now exceeds 35 million, making it the largest minority group and one of the fastest growing populations in the United States. Hispanics are grossly under-represented within the information technology sector, communication industries and the Federal Communications Commission's regulated media industry, in spite of the fact that they have one of the highest civilian labor workforce participation rates of any group in our nation.

Of significant concern over the proposed merger of Univision Communications Inc. and Hispanic Broadcasting Corporation is the inherent consolidation of power within one entity over the Spanish-language media. Without any doubt this merger would result in a defacto monopoly. If the proposed merger were to be approved, the largest source of Spanish language media would be under the sole domain of one individual, a non-Latino, and hinder the expression of the diverse opinions held by Hispanics across our great nation. This in itself would be a great disservice to the many Americans who obtain news and information primarily from Spanish-language media outlets.

Neither the Hispanic Broadcasting Corporation, nor Univision Communications have presented sufficient evidence that this consolidation would serve any public interest or provide benefits to the Hispanic community. In addition, there are serious concerns within the Hispanic communities across

our nation with regards to the quality, or lack of quality children and family programming that is missing from Univision's daily television schedule.

There is a large vacuum of substantive issues in their schedule of public affairs programming and a drastic omission of coverage of important issues confronting our communities in their overall programming scheme. It is for these reasons that I cannot support this proposal and I urge the denial of this merger.

To a large degree, the lack of sophistication in Univision's programming and its demonstrated lack of respect for the Spanish language viewer is a root cause of what many sociologists call the "dumbing of America". I strongly urge you to look into this matter as well. Thank you for your attention to this very important issue.

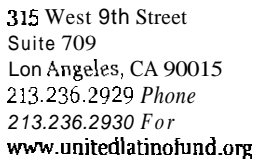
As always, if you have any questions or concerns, please feel free to contact me.

Sincerely,




Peter M. Rivera
Member of Assembly

Cc: United States Senator John McCain,
United States Senator Byron Dorgan
Representative W.J. Tauzin
Representative Cliff Stearns
Members, NYS Assembly Puerto Rican/Hispanic Task Force
Congressional Hispanic Caucus



The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Sincerely,



Anthony G. Espinoza
President and General Manager

 155



Community Association of Progressive Dominicans

January 27, 2003

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Docket No. MB 02-235
Ex Parte presentations, DA 02-2082

Dear Chairman Powell:

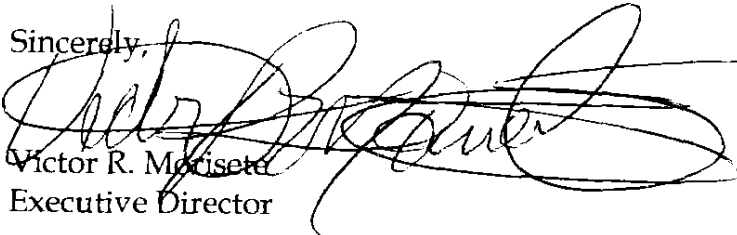
On behalf of the members of the Community Association of Progressive Dominicans and the twenty three thousands constituents we serve, I am writing this letter to object to the proposed merger between Univision Communications, Inc. and Hispanic Broadcasting Corporation.

I believe that the merger will harm potential Hispanic Businesses. The merger will concentrate dominant economic parties (Univision and HBC) so that it will greatly diminish the ability of most Hispanic to own broadcast stations in this country. A single entity, not owned by Hispanic Americans, will control Hispanic oriented television, cable, radio, internet, newspaper and recordings.

A combination of Univision and HBC will be a disaster for future Hispanic-owned media. Entry for Hispanic Americans will be barred because appropriate broadcast facilities will no longer be available, and the traditional problem of Hispanic American access to capital will be worsened. Furthermore, even if Hispanic entrepreneurs were able to locate capital and to enter the various media markets that will be controlled by the merging parties, the overwhelming competition from them will undoubtedly prove fatal. Diversity of voices will be lost and Hispanic media and entertainment will be controlled by a single party. This cannot be in the public interest.

For these reasons, the FCC should reject the merger.

Sincerely,



Victor R. Moriset
Executive Director

January 27, 2003

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Docket No. MB 02-235
Ex Parte presentations, **DA** 02-2082

Dear Chairman Powell:

On behalf of the members of the United Latin American Foundation, Inc., I **am** writing this letter to object to the proposed merger between Univision Communications, Inc. and Hispanic Broadcasting Corporation.

I believe that the merger will harm potential Hispanic Businesses. The merger will concentrate dominant economic parties (Univision and HBC) so **that** it will greatly diminish the ability of most Hispanic to own broadcast stations in this country. **A** single entity, not owned by Hispanic Americans, will control Hispanic oriented television, cable, radio, internet, newspaper and recordings.

A combination of Univision and HBC will be a disaster for future Hispanic-owned media. Entry for Hispanic Americans will be barred because appropriate broadcast facilities will no longer be available, and the traditional problem of Hispanic American access to capital will be worsened. Furthermore, even if Hispanic entrepreneurs were able to locate capital and to enter the various media markets that will be controlled by the merging parties, the overwhelming competition **from** them will undoubtedly prove fatal. Diversity of voices will be lost and Hispanic media and entertainment will be controlled by a single **party**. This cannot be in the public interest.

For these reasons, the FCC should reject the merger.

Sincerely,

Kenia Castanos
Vice President

Latin American Workers Union, Inc.

Union de Trabajadores Latino Americanos, Inc.

January 25, 2003

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Docket No. MB 02-235
Ex Parte presentations, DA 02-2082

Dear Chairman Powell:

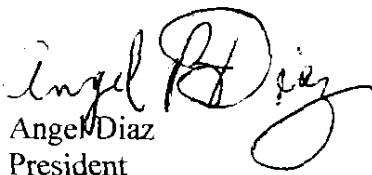
On behalf of the 11,000 members of *the* Latin American Workers Union Inc, I am writing this letter to object to the proposed merger between Univision Communications, Inc. and Hispanic Broadcasting Corporation.

I believe that the merger will harm potential Hispanic Businesses. The merger will concentrate dominant economic parties (Univision and HBC) so that it will greatly diminish *the* ability of most Hispanic to own broadcast stations in this country. A single entity, not owned by Hispanic Americans, will control Hispanic oriented television, cable, radio, internet, newspaper and recordings.

A combination of Univision and HBC will be a disaster for future Hispanic-owned media. Entry for Hispanic Americans will be barred because appropriate broadcast facilities will no longer be available, and the traditional problem of Hispanic American access to capital will be worsened. Furthermore, even if Hispanic entrepreneurs were able to locate capital and to enter the various media markets that will be controlled by the merging parties, the overwhelming competition from them will undoubtedly prove fatal. Diversity of voices will be lost and Hispanic media and entertainment will be controlled by a single party. This cannot be in the public interest.

For these reasons, the FCC should reject the merger.

Sincerely,


Angel Diaz
President



Herencia Yaucana Pro-Festival del Cafe en Nueva York Inc.
P.O Box 605
New York, New York 10458

February 1, 2003

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Re: Docket No. MB 02-235
Ex Parte Presentations, DA 02-2082

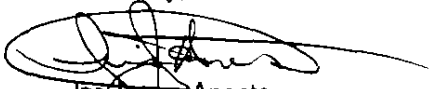
Dear Chairman Powell:

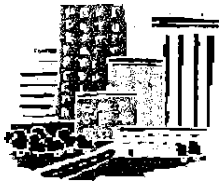
This letter is written to object to the proposed merger between Univision Communications, Inc. and Hispanic Broadcasting Corporation.

I believe that the merger will harm potential Hispanic businesses. The merger will concentrate dominant economic parties (Univision and HBC) will be a disaster for future Hispanic-owned media. Entry for Hispanic Americans will be barred because appropriate broadcast facilities will worsened. Furthermore, even if Hispanic entrepreneurs were able to locate capital and to enter the various media markets that will be controlled by the merging parties, the overwhelming competition from them will be undoubtedly prove fatal. Diversity of voices will be lost and the Hispanic media and entertainment will be controlled by a single party. This cannot be in the public interest.

For these reasons. the FCC should reject the merger.

Sincerely,


Ins James Aponte
President



OVAL ECONOMIC DEVELOPMENT CORP, INC.

2038 Davidson Avenue · Bronx · NY · 10452

Tel. (718) 731-6360 Fax. (718) 731-8580

January 3, 2001

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Powell:

I **am** writing to express my concerns regarding the proposed transfer of control of numerous radio station licenses from Hispanic Broadcasting Corporation to Univision Communications, Inc.

Today, Hispanics in the United States account for nearly 14% of the population and we are the nation's largest minority group. However, Hispanic ownership and management of U.S. media has virtually disappeared in the last few years of consolidation mania which has swept the broadcast media. **As** a result, no one really speaks for the Latinos living in the United States. No one discusses the issues of concern to our people.

We are especially concerned about vesting in one individual or in a single board of directors the total control of most of this country's Spanish television stations and radio stations. Univision is not a "start up" company. It already has 80% of the Spanish language TV audience and now wants to add the same control over Spanish language radio stations. That is too much power for any one individual **or** group of individuals to wield. It would be too easy for them to silence voices of those who do not share there points of view on the many serious issues facing this nation ~~in~~ the post 9/11 era.

Millions of Americans rely exclusively upon Spanish language radio and television to deliver them accurate news and information and to help them become acculturated and participating citizens of this society,

As your Archives will show, the FCC took away the licenses of the RKO General Corporation in the late 1980s when it abused its power and decreed that advertisers must

Striving to empower our community

purchase commercials on all their radio and television stations.
RKO had too much power and it totally corrupted that organization

I find it hard to believe that a similar merger of general market broadcasting television and radio networks would be allowed. No one broadcaster has ever been allowed to have **80%** of the U.S. market as its own monopoly.

This proposed merger would again make it possible for a small group of individuals to require that advertisers purchase time on both their media networks because they would have absolute power.

We do not feel that the proposed merger would serve the best public interest of the Hispanic American communities in the United States. Instead, it perpetuates the old "Televisa" system which was previously used in **Mexico**, but has now even been repudiated by that country.

We would respectfully urge the denial of this proposed merger.

Sincerely,

A handwritten signature in black ink, reading "Wendy Oconitrillo". The signature is fluid and cursive, with the first name "Wendy" being more prominent and the last name "Oconitrillo" written in a continuous script.

Wendy Oconitrillo
Vice Chairperson

Cc: The Honorable Efrain Gonzales:
New York State Senator



Little Branches of Borinquen, Inc.

2038 Davidson Avenue • Bronx, New York 10453
Tel (718)583-9708


LUCY VELEZ
Executive Director



January 3, 2001

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Powell:

I am writing to express my concerns regarding the proposed transfer of control of numerous radio station licenses from Hispanic Broadcasting Corporation to Univision Communications, Inc.

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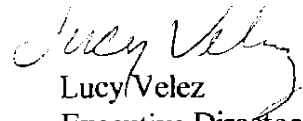
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We would respectfully urge the denial of this proposed merger.

Sincerely,



Lucy Velez
Executive Director

Cc: The Honorable Efrain Gonzales,
New **York** State Senator

D.C.C.
2038 DAVIDSON AVENUE
BRONX, N.Y. 10453
TEL (718) 731-6360, 81
FAX: (718) 731-3126



ANGEL CABALLERO
Executive Director

January 3, 2001

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Powell:

I ~~am~~ writing to express my concerns regarding the proposed transfer of control of numerous radio station licenses from Hispanic Broadcasting Corporation to Univision Communications, Inc.

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We would respectfully urge the denial of this proposed merger.

Sincerely,

A handwritten signature in dark ink, appearing to read "Angel Caballero", with a stylized flourish at the end.

Angel Caballero
Executive Director

Cc: The Honorable Efrain Gonzales,
New **York** State Senator

Llanel Jamin
44 Greentree Dr South
Hyde Park NY 12538

January 29, 2003

Mr. Michael Powell
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20544

Dear Mr. Powell,

It has come to my attention that your organization is currently considering a merger between Univision and the Hispanic Broadcasting Company. Due to the fact that the result of this merger would be to consolidate more than 80% of Spanish-language news, entertainment and advertising into the hands of one company, I feel that this merger would be extremely detrimental to the Hispanic community here in the United States.

As a concerned citizen and resident of Dutchess County, New York, where there is a significant Hispanic population, I feel it is my duty to express my strong opposition to this merger, which would create a virtual monopoly over Spanish-language media. Because many Spanish-speaking families view *only* Spanish-language media, I feel that the proposed merger would severely limit the diversity of opinion, perspective and, most importantly, information which is available to Spanish-speakers through the media. I strongly urge you and your agency to reconsider the proposed merger in light of the truly detrimental effect it would surely have on the large and growing Hispanic population of the United States.

I thank you for your attention to this matter, and invite you to contact me at the number above for additional information.

Sincerely,

Llanel Jamin

Sara A. Boerenko
5806 Cherry Hill Dr.
Poughkeepsie, NY 12603

January 29, 2003

Mr. Michael Powell
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20544

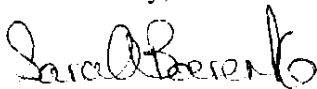
Dear Mr. Powell,

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As a concerned citizen and resident of Dutchess County, New **York**, where there is a significant Hispanic population, I feel it is my duty to express my strong opposition to this merger, which would create a virtual monopoly over Spanish-language media. Because many Spanish-speaking families view *only* Spanish-language media, I feel that the proposed merger would severely limit the diversity of opinion, perspective and, most importantly, information which is available to Spanish-speakers through the media. I strongly urge you and your agency to reconsider the proposed merger in light of the truly detrimental effect it would surely have on the large and growing Hispanic population of the United States.

I thank you for your attention to this matter, and invite you to contact me at the number above for additional information.

Sincerely,



Mirta B. Colim
43 North Rd
Tillson N.Y.
12486

January 29, 2003

Mr. Michael Powell
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20544

Dear Mr. Powell,

It has come to my attention that your organization is currently considering a merger between Univision and the Hispanic Broadcasting Company. Due to the fact that the result of this merger would be to consolidate more than 80% of Spanish-language news, entertainment and advertising into the hands of one company, I feel that this merger would be extremely detrimental to the Hispanic community here in the United States.

As a concerned citizen and resident of Dutchess County, New York, where there is a significant Hispanic population, I feel it is my duty to express my strong opposition to this merger, which would create a virtual monopoly over Spanish-language media. Because many Spanish-speaking families view *only* Spanish-language media, I feel that the proposed merger would severely limit the diversity of opinion, perspective and, most importantly, information which is available to Spanish-speakers through the media. I strongly urge you and your agency to reconsider the proposed merger in light of the truly detrimental effect it would surely have on the large and growing Hispanic population of the United States.

I thank you for your attention to this matter, and invite you to contact me at the number above for additional information.

Sincerely,

m B

Jennifer Drake
757 Route 308
Rhinebeck, NY 12572
(845) 876-1290

January 29, 2003

Mr. Michael Powell
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20544

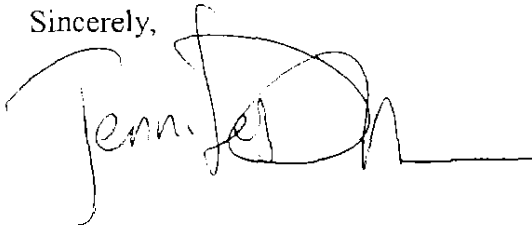
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Sincerely,

A handwritten signature in black ink, appearing to read "Jennifer Drake", with a long horizontal line extending to the right.

Jennifer Drake

Maria Morales
5 Revere Road
Fishkill, NY 12524
(845) 896-0867

January 29, 2003

Mr. Michael Powell
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20544

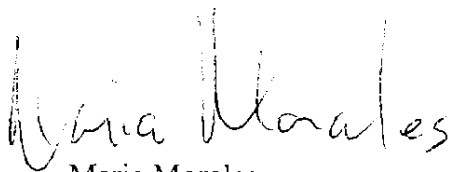
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Maria Morales